

Montana Fish, Wildlife & Parks
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ENVIRONMENTAL ASSESSMENT CHECKLIST

Fur Farm, Game Bird Farm, Zoo/Menagerie, Shooting Preserve

PART 1. PROPOSED ACTION/DESCRIPTION

Project Title: Kodiak Brown Bear

Application Date: 5/16/99

Name, Address and Phone Number: Triple D Game Farm, Inc.
190 Drake Drive, P. O. Box 5072, Kalispell, MT 59903
(406) 755-9653

Project Location: Above

Description of Project:

Applicant wishes to obtain a cub (6-8 weeks old), Kodiak brown bear (*Ursus arctos middendorffi*) as part of the applicant's existing zoo/menagerie operation for photography purposes both onsite and outside Montana. In Montana, the applicants will take the bear out of its enclosure to an area just outside the bear building for training, exercise, and photography as described in the Draft EA. The applicant also plans to transport the Kodiak bear by horse trailer outside Montana to other game farm or zoo menagerie operations for photography. When in transit, the applicant would keep the bear inside the truck's reinforced enclosure at all times. The applicants would first obtain the necessary health certificates for the various states through which the bear is traveling and for the bear's return to Montana.

The applicant must abide by the provisions and/or stipulations that currently exist for their Syrian brown bears; these also will apply to the Kodiak brown bear upon its acquisition (see attachment A). In addition, FWP proposes a specific stipulation for upgrading the Kodiak bear's enclosure by the bear's third birthday. Because the bear is used for photography, the premise is inspected at least once a year by the U.S. Dept. of Agriculture Veterinary Inspector for safety, health, and other reasons.

Description of the Facilities:

Initially, the applicants will house the brown bear in the animal nursery. The nursery enclosure consists of a series of expandable panels inside a heated building. The enclosure includes floor drains and hot and cold water, so that it can be easily cleaned. After the first year, the bear will be transferred to a larger bear enclosure in the bear building. Eventually, he will go into one of the larger bear units (17 ft. x 12 ft. x 7 ft.) located in the bear building. These enclosures consist of a 9-gauge chain link fence on a cement pad with one-foot concrete walls. The 9-gauge chain link fence extends up and over the top of the concrete pad. Hot wires are located on all 4 walls, as well as on the cage ceiling. The electrical system includes a back-up 12-volt battery, with a second back-up gas-fired generator that can maintain the battery should the electricity system fail. A cement den (6 ft. x 5 ft. x 4 ft.) lies within the enclosure. The enclosure doors are padlocked; the main door and smaller feeding window are not electrified to enable safe ingress and egress by handlers and the bear. This system also allows the keepers to feed the bear through a small door or "window" without shutting off the electricity.

The enclosure lies inside a "bear building" which contains 4 similar enclosures holding either Syrian brown bears or American black bears. Two to four-foot sidewalks or alleyways separate the bear enclosures. The locked building includes many open-to-the-air large "windows" which are covered with electrified chain link fence. The bear enclosures and building are locked at all times except when bears are being fed or trained, or when the facilities are being cleaned. The keepers disconnect the electrical system only when they wash/clean the facilities. This reduces the risk of injury to both the keepers and the bear should they contact a hot wire when the cages and alleyways are wet.

The applicants plan to transport the Kodiak bear in a modified solid-sided horse trailer with both inside and outside doors that are locked at all times. The handlers would feed and water the bear during transportation. The handlers will carry portable electrical 3-strand fence and battery system with the bear at all times. The handlers also carry a backup cage in a second truck in case the horse trailer breaks down. Once the bear is on location, the 3-strand electrical fence surrounds the entire horse trailer so that the bear can be exercised, trained, or photographed.

The applicants plan to build a new bear facility with at least one larger and stronger enclosure designed for an adult Kodiak bear consistent with standards recommended in Zoo Standards for Housing Bears in Captivity (Fling 1999). FWP recommends a stipulation that the applicants complete the new enclosure by the bear's third birthday.

Other groups or agencies contacted or which may have overlapping jurisdiction:

Dr. Harvey McKelvey, U.S. Dept. Agriculture Veterinary Inspector, 655 W. Brunner Rd., Athol, Idaho 83801. (208) 687-3355 or 703-812-6619

PART 2. ENVIRONMENTAL REVIEW

Table 1. Potential impact on physical environment.

Will the proposed action result in potential impacts to:	Unknown	Potentially Significant	Minor	None	Can Be Mitigated	Comments Below Or On Attached Pages
1. Unique, endangered, fragile, or limited environmental resources				X		
2. Terrestrial or aquatic life and/or habitats			X		yes	2a.
3. Introduction of new species into an area			X		yes	3a.
4. Vegetation cover, quantity & quality				X		
5. Water quality, quantity & distribution (surface or groundwater)			X		yes	5a.
6. Existing water right or reservation				X		
7. Geology & soil quality, stability & moisture				X		
8. Air quality or objectionable odors			X		yes	8a.
9. Historical & archaeological sites				X		
10. Demands on environmental resources of land, water, air & energy				X		
11. Aesthetics				X		

Comments

(A description of potentially significant, or unknown, impacts and potential alternatives for mitigation must be provided.)

2a. The applicants have developed written procedures to feed, raise, train, transport, and handle brown bears within their facility and when on the road. As long as the applicant follows these procedures (described under 5a Table 2.), the risk of the bear escaping or causing harm to wildlife or habitat is minimal. Should such an escape occur, the brown bear could cause relatively minor damage to property, wildlife, domestic animals, or human resources in the surrounding area. Additionally, the applicants or authorities may need to dispatch the bear should an escape occur.

3a. The applicants have developed written procedures to feed, raise, train, and handle brown bears within their facility and when on the road. As long as the applicant maintains and follows these procedures (described under 5a Table 2.), the risk of the bear escaping is minimal. In addition, the applicants must neuter the Kokiak brown bear before its first birthday according to the existing stipulations for the acquisition of brown bears. If the neutered brown bear does escape, it could not contaminate the existing grizzly bear gene pool. If the bear

escapes before neutering and is not recovered, there is a risk the bear could eventually breed with other grizzly bears (different subspecies) in northwest Montana and contaminate the existing gene pool. However, there is very low risk of a young, hand-reared, bottle fed Kodiak bear escaping undetected due to its habituation to humans.

5a. The addition of another bear to this existing facility will not significantly increase the risk of contamination of surface or ground water. The applicant has a game farm/fur farm/zoo/menagerie operation that meets criteria for animal waste management. An additional animal on the premises should not create substantial ground or surface water quality impacts. This potential for a water contamination problem has been addressed in existing zoo/menagerie and other game farm/fur farm license stipulations.

8a. Objectionable odors may exist due to the addition of another animal, but the applicant has had a game farm/fur farm/zoo menagerie operation for several years with no known complaints from neighbors. The bear building is an adequate distance from neighbors (at least 1,000 feet). The potential for this problem has been addressed in the stipulations.

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Table 2. Potential impacts on human environment.

Will the proposed action result in potential impacts to:	Unknown	Potentially Significant	Minor	None	Can Be Mitigated	Comments Below Or On Attached Pages
1. Social structures and cultural diversity				X		
2. Changes in existing public benefits provided by wildlife populations and/or habitat			X		yes	2a.
3. Local and state tax base and tax revenue				X		
4. Agricultural production				X		
5. Human health			X		Yes	5a.
6. Quantity & distribution of community & personal income				X		
7. Access to & quality of recreational activities				X		
8. Locally adopted environmental plans & goals (ordinances)				X		
9. Distribution & density of population and housing				X		
10. Demands for government services				X		
11. Industrial and/or commercial activity				X		

Comments

(A description of potentially significant, or unknown, impacts and potential alternatives for mitigation must be provided as comments.)

2a. The proposed action benefits the public by the fact that the zoo/menagerie operation provides commercial photographers the opportunity to use captive-reared brown bears rather than pursuing brown bears in the wild. These private commercial uses reduce potential harassment or displacement of wild bears and reduce potential conflicts between wild brown bears and humans. Such conflicts often lead to the destruction of wild bears as well as to property or humans.

5a. The Triple D game farm/fur farm/zoo/menagerie is located in a suburban setting with approximately 4 homes located within ¼ mile from the bear housing unit. If the brown bear were to escape, there is a chance of damage to nearby property, domestic animals and livestock, or to humans and to the bear itself. The risk of an

escape is reduced to a minimal level because the following procedures and contingency plans are in place: 1. The applicants will obtain the Kodiak brown bear as a very young cub (6-8 weeks old). It will become imprinted and habituated to humans; it will be trained to remain inside a 2 or 3-strand electric wire throughout its life. 2. The location of the wires is changed frequently so that the bear does not become accustomed to the same electrical system. 3. All outside training, exercising, photographing, or transferring of the bear is done inside a 2 or 3-strand hot wire with a back up electrical system. 4. During outside activities, personnel other than the bear handler will have bear spray, a fire extinguisher, an electrical cattle prod, a tranquilizer gun loaded with appropriate drugs, and a 41 magnum handgun to control the bear if needed. 5. No one, other than the bear handler, is permitted inside the electric fence; 6. The applicant's bear handler only works with one bear at a time outside the enclosures.

Before the Kodiak brown bear reaches its third birthday, FWP proposes the applicant complete reconstruction or modification of the Kodiak bear's existing cage size and fencing materials to meet the standards recommended for large brown bears (Zoo Standards for Housing Bears in Captivity, Fling 1999). The applicants have planned to build a new bear facility to improve or expand upon the existing one. FWP recommends that the proposed zoo/menagerie license for the Kodiak brown bear require the applicant first notify FWP of their bear facility plans at least 30 days prior to construction. The applicants must complete the new or remodeled enclosure on or before the bear's third birthday.

Does the proposed action involve potential risks or adverse effects, which are uncertain but extremely harmful, if they were to occur?

No. The risks of significant impact to biological or human resources from an escaped bear can be significantly reduced through the application of proper care, handling, training, and transportation techniques. The risks are also reduced by stipulating that the Kodiak brown bear be neutered by its first birthday; the required construction of new brown bear building or enclosure by the bear's third birthday; the implementation of and adherence to safety procedures and contingency plans; and the periodic review of the facilities and safety systems.

Does the proposed action have impacts that are individually minor, but cumulatively significant or potentially significant?

The Triple D zoo/menagerie currently has two Syrian brown bears and two black bears. The acquisition of another brown bear will occur after the applicants remove one of the black bears. The addition of another brown bear to this facility adds some incremental degree of risk in managing/controlling bears due to some potential conflict that may occur among the brown bear subspecies. FWP proposes that this EA and subsequent Decision do not convey to the Triple D game farm/zoo/menagerie the right to acquire additional Kodiak brown bears under this permit. The applicants may add additional Syrian brown bears per the stipulations of the 1994 Decision Notice for the Syrian subspecies (Attachment A).

Description and analysis of reasonable alternatives (including the no action alternative) to the proposed action when alternatives are reasonably available and prudent to consider. Include a discussion of how the alternatives would be implemented:

One alternative to the proposed action is No Action. Under this alternative, the applicant would be unable to acquire a Kodiak brown bear, but could still acquire Syrian brown bears per the 1994 EA and Decision Notice.

List proposed mitigative measures (stipulations) for license:

The stipulations include the stipulations listed for the acquisition of Syrian brown bears (Attachment A), plus the following additions:

- A. This permit is limited to one Kodiak brown bear (*Ursus arctos middendorffi*). The applicant may replace the Kodiak brown bear with another Kodiak brown bear if they replace the Kodiak brown bear with another 6-8 week old cub. The applicant would need to file proper forms regarding the disposition of the original Kodiak bear and must notify FWP of the proposal to replace it. However, the replacement of the Kodiak bear would not necessarily require a Draft EA or public notice unless other circumstances would warrant a new EA.
- B. The applicants must either rebuild or replace the current enclosure with a stronger, higher, and larger one consistent with recommendations for large brown bears according to Zoo Standards for Housing Bears in Captivity, (Fling 1999) or subsequent revisions. Applicants must construct the new or modified enclosure by the time of the Kodiak brown bear's third birthday. The applicants must submit their plans to FWP at least 30 days before construction is initiated.
- C. The applicants must maintain updated written care, handling, transportation, and contingency procedures for all their activities with brown bears. These procedures shall reflect procedures used for feeding, training, transporting, handling, and photographing the brown bears. These written procedures must be made available to FWP personnel upon request.

Individuals or groups contributing to, or commenting on, this EA:

Gael Bissell, Montana Fish, Wildlife & Parks, 490 N. Meridian Rd. Kalispell, MT 59901

Brian Sommers, Montana Fish, Wildlife & Parks, 490 N. Meridian Rd. Kalispell, MT 59901

Diana Weinhardt, Chair, American Zoo and Aquarium Association, Bear Advisory Group
(Beartagsow@aol.com)

EA prepared by: Gael Bissell, Wildlife Biologist, Montana Fish, Wildlife & Parks

Date Completed: 12/10/1999

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PART 3. DECISION

Recommendation and justification concerning preparation of EIS: .

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Describe public involvement, if any:

Recommendation for license approval:

Wildlife Manager	Date
Warden Captain	Date

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ATTACHMENT A

Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:

- A. This permit is limited to Syrian Brown Bears. No more than one additional Syrian Brown Bear may be added to the facility per year. The Syrian Brown will be neutered by August 1, 1994.
- B. For each additional bear, Triple-D must notify the Department two weeks in advance of the bear's expected arrival date. Each bear, whether male or female, must be neutered before it is brought into the facility unless it is less than one year old. If the bear is less than one year old, it must be neutered before it is one year old. Proof of neutering must be provided to the Department within 30 days of neutering. A written statement or certificate from a licensed veterinarian will suffice as proof of neutering.
- C. Triple-D shall provide liability insurance, naming MDFWP as an additional insured party, in the amount of at least \$1,000,000 as long as bear is part of operation. Provide MDFWP with proof of insurance.
- D. Each bear must be securely caged at all times, including during transport and when it is not being worked with.
- E. Each bear's cage must be clean and kept as free from odors as reasonably possible to minimize the potential to attract wild bears.
- F. An electrified enclosure with other safeguards must be used when working any bear.
- G. Triple-D must have available and be trained in the use of a tranquilizing device to be used for emergency control of any bear.
- H. Triple-D must keep a log documenting each time a bear is removed from the facility and have it available for inspection by MDFWP. The type of log currently being used by Wild Eyes (Brent and Robin Allen) will provide sufficient documentation.
- I. Triple-D must immediately report to the Region One Enforcement personnel any escape or attempted escape by any bear or any attacks or other problems with bears.
- J. MDFWP will continue to monitor the bears by scheduling periodic inspections at the discretion of the Region and the local warden. Triple-D may be asked to demonstrate control over the bears to the warden whenever he feels such a demonstration is necessary. The warden will judge whether the control is adequate. If the warden determines that the bears are difficult to handle, he will report his conclusions, and Triple-D may be required to restrict the bears to their cages at all times.
- K. Violation of any of these conditions or problems with any brown bear may result in further restrictions to the permit or revocation of the permit.